



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **KUBO, et al.**

Group Art Unit: 2813

Serial No.: 09/988,272

Examiner: **HOGANS, David L.**

Filed: **November 19, 2001**

P.T.O. Confirmation No.: 8401

For: **SEMICONDUCTOR DEVICE AND A METHOD OF FABRICATING THE SAME**

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: July 1, 2003

Sir:

In response to the Species Requirement dated **June 9, 2003**, the applicants provisionally elect to prosecute the species embodying Species I. Claims 12-15, 22 and 23 read on this species. The applicants reserve the right to file divisional applications on the non-elected claims.

The applicants respectfully request an early examination on the elected claims 12-15, 22 and 23 and favorable action on the merits. If the Examiner has any questions with this Response, please feel free to call the undersigned at the indicated telephone number.

In the event that this paper is not timely filed, applicants hereby petition for an appropriate extension of time.

The fee for any such extension may be charged to our Deposit Account No. 01-2340.

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In the event any additional fees are required in connection with this response, please  
charge our Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP

  
Stephen G. Adrian

Attorney for Applicants

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